
JOSEPH BALDWIN AND OTHER CLAIMANTS.

LETTER FROM THE ASSISTANT CLERK OF THE COURT OF CLAIMS
TRANSMITTING A COPY OF THE FINDINGS OF THE COURT IN
THE CASE OF JOSEPH BALDWIN AND OTHER CLAIMANTS
AGAINST THE UNITED STATES.

MARCH 1, 1904.—Referred to the Committee on Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, February 29, 1904.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings of fact filed by the court in the aforesaid cause, which case was referred to this court by the resolution of the Senate of the United States, under the act of March 3, 1887, known as the Tucker Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. WILLIAM P. FRYE,
President of the Senate pro tempore.

[Court of Claims. Congressional case No. 10202. Joseph Baldwin et al. v. The United States.]

STATEMENT OF THE CASE.

The claims in the above-entitled case for live stock alleged to have been seized and removed by the cavalry forces under Major-General Sheridan during the so-called burning raid through the Loudoun Valley and the valley of Virginia, in the State of Virginia, in the month of November, 1864, were embraced in Senate bill 2060 of the Fifty-sixth Congress, first session, which bill, by resolution of the Senate of the United States passed on the 10th day of May, 1900, was referred to this court under the provisions of section 14 of the act of March 3, 1887, commonly known as the Tucker Act, and for proceedings in conformity therewith.

The case was brought to a hearing on the 20th day of October, 1902, when James H. Embry, esq., appeared for the claimants, and the Attorney-General, by George H. Walker, esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The claimants in their consolidated petition allege that Joseph Baldwin, A. M. Buffington, H. E. Butts, Joseph Conard, L. W. Derry, Philip Derry, Philip Derry of Peter, Philip Fry, Harrison Haws, Samuel Hough, G. W. Moore, George Neer, E. H. Potts, F. M. Potts, Jonas Potts, Henry Reed, J. L. Russell, David Shriver, Richard Tavenner, and Levi Waters were each and all loyal citizens of the United States and residents of Loudoun County, in the State of Virginia, where they each and all resided upon their respective farms in the Loudoun Valley during the war of the rebellion, and that during the so-called burning raid aforesaid the aforesaid cavalry forces seized from them and removed an aggregate number of 28 horses, 82 cattle, 132 sheep, and 25 hogs, of a total value of \$8,200 at the time and place of seizure.

The court, upon the evidence and after hearing the briefs and arguments of the respective counsel, makes the following

FINDINGS OF FACT.

I. That the 20 above-named citizens and residents of Loudoun County aforesaid were each and all loyal to the cause and Government of the United States throughout the war of the rebellion.

II. That of the property described in the aforementioned petition that was seized by the cavalry forces and during the raid aforesaid, live stock of the aggregate fair value of five thousand one hundred and twenty-nine dollars (\$5,129) was applied to the use of the military forces aforesaid.

III. The aforesaid aggregate value of five thousand one hundred and twenty-nine dollars (\$5,129) is distributable as follows:

C. C. Gaver, administrator of Joseph Baldwin, deceased, four hundred and fifty-five dollars (\$455);

Susanna Buffington, sole heir of the estate of A. M. Buffington, deceased, seventy-five dollars (\$75);

Henry E. Butts, twenty-five dollars (\$25);

C. C. Gaver, administrator of estate of Joseph Conard, deceased, three hundred dollars (\$300);

C. C. Gaver, administrator of the estate of L. W. Derry, deceased, one hundred and eighteen dollars (\$118);

C. C. Gaver, executor of the estate of Philip Derry, deceased, six hundred dollars (\$600);

C. C. Gaver, administrator of the estate of Philip Derry, of Peter, eight hundred and thirty-three dollars (\$833);

C. C. Gaver, administrator of the estate of Philip Fry, deceased, one hundred dollars (\$100).

C. C. Gaver, administrator of the estate of Harrison Haws, deceased, two hundred and sixty-eight dollars (\$268).

S. H. Love, administrator of the estate of Samuel Hough, deceased, two hundred dollars (\$200).

C. C. Gaver, administrator of the estate of George W. Moore, deceased, four hundred and thirty dollars (\$430).

W. O. Russell, administrator of the estate of George Neer, deceased, two hundred dollars (\$200).

E. C. and W. C. Potts, administrators of the estate of Edwin H. Potts, deceased, twenty-five dollars (\$25).

A. H. Potts, administrator of the estate of F. M. Potts, deceased, two hundred and seventy-five dollars (\$275).

Thomas W. Potts, sole heir of Jonas Potts, deceased, one hundred and fifty-five dollars (\$155).

C. C. Gaver, administrator of the estate of Henry Reed, deceased, two hundred dollars (\$200).

W. O. Russell, administrator of the estate of J. L. Russell, deceased, seventy-five dollars (\$75).

C. C. Gaver, administrator of the estate of David Shriver, deceased, four hundred and five dollars (\$405).

Jane Tavenner, executrix of the estate of Richard Tavenner, deceased, thirty dollars (\$30).

C. C. Gaver, administrator of the estate of Levi Waters, deceased, three hundred and sixty dollars (\$360).

IV. That none of the aforesaid 20 original claimants, or those claiming under such as have deceased, appears to have been or to be chargeable with negligence or undue delay in the prosecution of said claims, or any of them, nor does it appear that any payment has been made or received on account of any of said claims.

V. That by act approved January 23, 1873 (17 U. S. Stat., p. 713), the sum of \$61,821.13 was appropriated by name and amount to a large number of declared loyal citizens of said Loudoun County for their live stock seized and removed during the aforesaid burning raid, not including any of the present claims or claimants.

BY THE COURT.

Filed December 21, 1903, nunc pro tunc as of December 1, 1902.

A true copy.

Test this 27th day of February, 1904.

[SEAL]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.